

**REGULAR MEETING of the Burrillville Town Council held Wednesday, October 12, 2011 at 7:00 P.M. in the Media Center, Burrillville High School, 425 East Avenue, Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson**

**MEMBERS ABSENT: None**

**1. Pledge of Allegiance**

**Following the pledge of allegiance, a moment of silence was observed in memory of Debra Stockwell Cavanaugh, Burrillville School Department Chairwoman.**

**2. VOTED to accept the minutes of the regular meeting held September 28, 2011 and dispense with the reading of said minutes.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**3. Public Comment: None**

**4. General Good and Welfare of the Town of Burrillville**

**Councilor Margaret L. Dudley announced due dates for second quarter taxes.**

**Councilor Margaret L. Dudley announced the Burrillville Youth Basketball Association registration date.**

**Councilor Margaret L. Dudley announced the Friends of the Library Vendor Fair scheduled for October 22, 2011.**

**Councilor Margaret L. Dudley wished Michael C. Wood, Town Manager, a happy birthday.**

**Councilor Kevin D. Heitke announced the winner of the 2011 holiday card contest winner, Adele Karbowski of Jackson Schoolhouse Road. Councilor Heitke encouraged residents to purchase the holiday cards when they become available.**

**Councilor Edward J. Blanchard announced the Burrillville Middle School ABC program fundraiser scheduled for Friday, October 14, 2011.**

**Councilor Nancy F. Binns announced the October 15, 2011 Pascoag**

**Library Dedication, at which Helen Fairbrother Moroney would be recognized.**

**5. Petitions: None**

**6. Special Business:**

**11-253 Correspondence from Councilor David J. Place regarding his request that the Town Council consider sending letters commending certain organizations on a job well done during Tropical Storm Irene.**

**VOTED to open.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**Discussion: Councilor David J. Place noted that Overlook Nursing Home had taken care of additional patients due to storm related problems in private residences. Councilor Place also recognized James Woodward of the Burrillville School Department and Brigido's Market.**

**VOTED that the letters of thanks in the packet be sent to those**

**individuals.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-254 VOTED to grant a Holiday license to Thomas J. Staples, Jr., d/b/a Bobby's Bait & Tackle Box to apply at 70 Pascoag Main St. in a building owned by Ralph J. Ciummo, Jr. (Assessor's Map 175, Lot 45).**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**7. Public Hearings: None**

**8. Unfinished Business:**

**11-226 VOTED to open consideration and action on a request from Councilor Edward J. Blanchard that the Town Council reconsider the September 28, 2011 vote to ratify the proposed Collective Bargaining Agreement between the Burrillville School Committee and the**

## **Burrillville Teachers' Association.**

**Note: the September 28, 2011 vote relative to the Collective Bargaining Agreement failed, with Council President Nancy F. Binns and Councilors Wallace F. Lees and Kevin D. Heitke voting in favor and Councilors Edward J. Blanchard, Margaret L. Dudley, David J. Place and Stephen N. Rawson voting in opposition.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**Discussion: Councilor Edward J. Blanchard summarized his reasons for requesting reconsideration of the September 28, 2011 vote.**

**VOTED to reconsider.**

**Motion by Councilor Edward J. Blanchard. Seconded by Councilor Wallace F. Lees. The motion carried, four in favor, three opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Kevin D. Heitke. Councilors Margaret L. Dudley, David J. Place and Stephen N. Rawson voted in opposition.**

**MOTION to ratify the teachers' contract.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Kevin D. Heitke.**

**Discussion: Councilor Margaret L. Dudley said that she had reviewed not only the proposed contract changes but the entire contract. Councilor Dudley listed items that she found to be upsetting. Councilor Dudley voiced concern at the source of money for raises.**

**Council President Nancy F. Binns reviewed the negotiation process, stating that the proposed contract is the best possible given current circumstances. Council President Binns commented on the scope of the authority provided by 2010 charter changes.**

**There was discussion of appropriate processes for inquiring about the procedures and the contract.**

**Councilor David J. Place concurred with Councilor Dudley. Councilor Place commented on the burden placed on taxpayers.**

**Councilor Kevin D. Heitke commented on the Town Council's thorough discussion at an earlier meeting and reviewed collective bargaining procedures, noting that the Town Council had been represented in the process. Councilor Heitke outlined the concessions by the teachers included in the proposal.**

**Councilor Stephen N. Rawson spoke of the merit to contract negotiation but voiced concern at the impact of the proposed contract on taxpayers. Councilor Rawson recommended looking at other options.**

**VOTE: The motion carried, four in favor, three opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard and Kevin D. Heitke.**

**Councilors Margaret L. Dudley, David J. Place and Stephen N. Rawson voted in opposition.**

#### **9. New Business:**

**11-255 VOTED to grant the bid for the voice recording system at the Burrillville Police Department to 20/20 Monitoring Solutions Company at a total cost of \$9,881.75.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-256 VOTED to refer to the Screening Subcommittee the application from Mark Brizard for appointment to the Burrillville**

**Housing Authority.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-257 VOTED to refer to the Screening Subcommittee the application from Russell R. Couture for reappointment to the Board of Assessment Review.**

**Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-258 VOTED to refer to the Screening Subcommittee the applications from Kevin H. Mazzearella and Timothy F. Pratt for reappointment to the Recreation Commission.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke,**



**David J. Place and Stephen N. Rawson.**

**11-259 VOTED to refer to the Screening Subcommittee the application from Kenneth E. Milligan, III for appointment to the Sewer Commission.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-260 Correspondence from John P. Mainville, Finance Director, regarding his recommendations.**

**VOTED to approve the abatements (\$23,197.99) for the period covering July 1, 2011 to September 30, 2011.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to receive and file the additions (\$12,782.55) for the period covering July 1, 2011 to September 30, 2011.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-261 VOTED to table the request from the Office of the General Treasurer that the Town Council adopt a resolution in support of pension reform (at the General Treasurer's request).**

**Motion by Councilor Edward J. Blanchard. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-262 VOTED to open the correspondence from Council President Nancy F. Binns regarding the 2011 Council meeting schedule for November and December 2011.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to reschedule the November 23, 2011 meeting at call of chair.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**MOTION to reschedule (the December 28, 2011) meeting at call of the chair.**

**Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The motion failed, three in favor, four opposed. Voting in favor of the motion were Edward J. Blanchard, Margaret L. Dudley and David J. Place. Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin D. Heitke and Stephen N. Rawson voted in opposition.**

**VOTED to cancel that meeting.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The motion carried, five in favor, one opposed, and one abstention. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place voted in opposition. Councilor Margaret L. Dudley abstained.**

**11-263 Consider and act on confirmation or rescheduling of upcoming meetings, as listed by Council President Nancy F. Binns.**

**The Town Council reviewed the proposed schedule for meetings and confirmed special meetings to be held on October 18, 2011 at 7:00 P.M., October 25, 2011 at 7:00 P.M. and November 22, 2011 at 10:00 A.M.**

**10. Town Clerk/Communication:**

**11-264 VOTED to receive and file the 2010/2011 Annual report of the Pascoag Reservoir Dam Management District.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11-265 VOTED to receive and file the correspondence from Dale S. Holberton, CMC, Town Clerk of the Town of South Kingstown, regarding the South Kingstown Town Council's action relative to the Burrillville Town Council's RIPTA resolution.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor**

**Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**11. Additional New Business:**

**11-266 VOTED to grant the request for executive session from Michael C. Wood, Town Manager and Assistant Town Solicitor Patrick J. Dougherty, pursuant to Rhode Island Open Meeting Law: [§42-46-5(a)(2)] to consider and discuss collective bargaining between the Town of Burrillville and Council 94, Local 186; and [§42-46-5(a)(5)] for discussion and consideration relative to disposition of real property at Commerce Park – Daniele, Inc.; and [§42-46-5(a)(2)] for discussion, consideration and action relative to pending litigation – C.A. 00-4776, Town of Burrillville V. TA Consulting LLC et al**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**There was a recess before executive session.**

**The Town Council returned to open session at 9:20 P.M.**

**VOTED to seal the minutes of executive session, noting that two votes had been taken.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12. VOTED to adjourn at 9:20 P.M.**

**Motion by Councilor Wally F. Lees. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**